



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD / CWB

10088PLW.06c

DATE: November 6, 2006
NPDES PERMIT NO.: HI S000087

PERMIT RATIONALE: **APPLICATION FOR NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
TO DISCHARGE TO THE WATERS OF THE UNITED
STATES**

PERMITTEE: **J/R KONA ACQUISITION, LLC**

PROJECT: **PARKING LOT ADDITION FOR BIG ISLAND HONDA
SHOWROOM & SERVICE FACILITY (PHASE I)**

FACILITY/SITE ADDRESS

75-5608 Kuakini Highway
Kailua-Kona, Hawaii 96740
Island of Hawaii
TMK: (3) 7-5-005:088

PERMITTEE MAILING ADDRESS

J/R Kona Acquisition, LLC
75-5608 Kuakini Highway
Kailua-Kona, Hawaii 9740
Contact: Mr. Gerald Cousin, Manager
Phone No.: (808) 329-8101
Fax No.: (808) 326-2489

PERMIT STATUS

On April 27, 2006, the Permittee submitted a General NPDES Permit application (dated April 19, 2006). The Department of Health (DOH) reviewed the application and on May 22, 2006, requested that the permittee submit additional information. The permittee submitted additional information, dated September 13, 2006 and September 22, 2006 to the DOH, and also decided to seek coverage under the Individual NPDES Permit for discharges of storm water associated with construction activity from the following discharge location: Kailua Bay, Class AA, Marine Water, Latitude 19°38'22"N and Longitude 155°59'51"W.

The Director of Health (Director) proposes to issue a permit to discharge to the waters of the State and has included in the proposed draft permit those terms and conditions which the Director determined are necessary to carry out the provisions of the Federal Water Pollution Control Act (PL 92-500), Federal Clean Water Act of 1977 (PL 95-217) and Hawaii Revised Statutes (HRS), Chapter 342D.

SCOPE OF THE CONSTRUCTION ACTIVITY AND LOCATION OF THE PROJECT

J/R Kona Acquisition, LLC is proposing to construct a 250 stall parking lot as well as two (2) new concrete driveways on the west side of the property to service Big Island Honda. Construction activities associated with the Project include: demolition; clearing; grubbing; grading; the installation of drywells and catch basins; the installation of concrete curbs, gutters, and walkways; and the paving of asphalt areas including the parking lot and roadway easement. The proposed Project is located at 75-5608 Kuakini Highway, Kailua-Kona, Hawaii.

RECEIVING WATER CLASSIFICATION

The discharge point is classified by the DOH as Class AA, Marine Water. The objective of Class AA waters is to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source.

The uses to be protected are all uses compatible with the protection of the ecosystems associated with waters of these classes. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for its class.

OCEAN DISCHARGE CRITERIA

The Director has considered the Ocean Discharge Criteria, established pursuant to Section 403(c) of the Clean Water Act for the discharge of pollutants into the territorial sea, the waters of the contiguous zone, or the oceans. The Environmental Protection Agency (EPA) has promulgated regulations for Ocean Discharge Criteria in 40 Code of Federal Regulations Part 125 ,

Subpart M. Therefore, the Director has determined that the discharge will not cause degradation to the marine environment. Based on current information, the Director proposes to issue a permit.

DESCRIPTION OF THE PROPOSED DISCHARGE

The Permittee requests to discharge storm water runoff from the proposed construction site and indicates in the Site-Specific Best Management Practices (BMPs) Plan that the following control measures will be implemented prior to the start of construction: the installation of silt fence down slope of all disturbed areas for sediment control; the installation of inlet protection devices at catch basins; and the installation of a stabilized construction entrance to reduce vehicle tracking of sediments on the adjacent roadways.

PERMIT CONDITIONS

The Director has considered the permit conditions to discharge storm water runoff associated with construction activity, established pursuant to the Federal Water Pollution Control Act, Federal Clean Water Act, and the HRS. The Director has determined that the discharge will not cause degradation to the receiving water environment when the Permittee complies with the conditions of the permit. Therefore, based on current information, the Director proposes to issue a permit.

PROPOSED DETERMINATIONS

Based on the “Stormwater Management for Construction Activities,” September 1992 (EPA-832-R-91-005); Hawaii Administrative Rules (HAR), Chapter 11-55, “Water Pollution Control,”; HAR, Chapter 11-54 “Water Quality Standards”; and the Best Professional Judgement, the following conditions shall be required in the proposed permit:

1. The General Requirements as stated in Part A of the permit which are necessary in preventing pollutants to be discharged with the storm water to the receiving State waters, in addition to the general BMPs provisions proposed in the application.
2. The Reporting Requirements as stated in Part B of the permit which informs the Permittee of submittal and reporting requirements for compliance with the permit conditions. The Permittee shall submit the following to the CWB, unless otherwise noted:
 - a. The general contractor information.
 - b. A description of non-storm water sources (such as concrete drum/chute wash water, equipment and vehicle wash water, concrete curing water, saw-cutting slurry, dust control water, and emulsified asphalt or prime coat, etc.) and the method(s) to be used to handle and dispose of the non-storm water sources.
 - c. A map or drawing showing the location of any construction baseyard(s) and/or staging area(s).
 - d. A map or drawing showing the areas used for the storage of soils, construction materials, or wastes and areas for the disposal of wash water from washing down of construction equipment and vehicles, concrete truck drum wash water, treated dewatering effluent, hydrotesting effluent discharge, etc.
 - e. A map or drawing showing the location(s) where stabilization practices are expected to occur.
 - f. The location(s) and descriptions of all structural controls including those that will be used to divert the offsite storm water from flowing into the construction site.

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- g. A map or drawing showing the areas where vegetative practices are to be implemented.
- h. The Site-Specific Construction Best Management Practices (BMPs) Plan which includes details and dimensions of all BMPs to be used at the construction site.
- i. The County-approved Erosion and Sediment Control Plan and/or County-approved grading permit.
- j. An updated construction schedule for major construction activities including the dates when the contractor will begin and end site disturbance; when erosion control measures will be implemented and removed; and dates when major construction activities begin and end.
- k. The Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management.
- l. The Notice of Cessation Form (CWB-NOC Form) within two (2) weeks of completion of the subject project. The purpose of the NOC Form is to notify the CWB upon termination of the discharge activities.

All related concerns and/or comments pertaining to the above listed items shall be properly addressed to the CWB's satisfaction before the start of construction activities.

- 3. The BMPs as stated in Part C of the permit which emphasizes pollution prevention measures that are applicable to the construction activities. The Special Conditions for Land Disturbances from HAR, Chapter 11-55, Appendix C, Section 11 have been cited in the permittee's application.